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PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The Following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT PRIVATE UNIVERSITIES (AMENDMENT) BILL, 2021.

GUJARAT BILL NO. 13 OF 2021.

A BILL

further to amend the Gujarat Private Universities Act, 2009.

WHEREAS the Sarvajanik Education Society, Surat, Vanita Vishram, Surat, Shri Krishna Educational and Charitable Trust, Vadodara, Shiv Shakti Ashish Trust, Surendranagar, Ankleshwar Rotary Education Society, Bharuch, Shri G.N.Patel Education & Charitable Trust, Rajkot and Shree Monark Education Trust, Ahmedabad have applied to the State **Guj. 8 of 2009.** Government under the provisions of the Gujarat Private Universities Act, 2009 to establish Private Universities in the State;

AND WHEREAS the said applications have been scrutinised by the Scrutiny Committee and on the report of the Scrutiny Committee, the State Government has issued the Letter of Intent to the respective sponsoring body for establishment of the Private University;

AND WHEREAS the State Government is satisfied that the sponsoring bodies have complied with the conditions of Letter of Intent as provided in section 10 of the said Act and have also established the Endowment fund as per the Letter of Intent;

AND WHEREAS the State Government is committed to improving the Ease of Doing Business in all sectors.

AND WHEREAS it is considered necessary to have transparent working and good governance in the Education sector also and for that certain provisions of the said Act are required to be amended so as to minimize the regulatory compliance burden.

NOW, THEREFORE, the Government of Gujarat, in accordance with the provisions of section 10 of the Act, includes the institutions specified in column 2 of the Schedule as the Private University, by the name and location of the aforesaid sponsoring bodies as specified in column 4 of the said Schedule.

It is hereby enacted in the Seventy-second Year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Gujarat Private Universities (Amendment) Act, 2021.
(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

**Amendment of section 3 of
Guj. 8 of 2009.**

2. In the Gujarat Private Universities Act, 2009 (hereinafter referred to as “the principal Act”), in section 3,-
 - (1) in sub-section (5), the words “except the grant-in-aid colleges and institutions” shall be deleted;
 - (2) sub-section (7) shall be deleted.

Guj. 8 of 2009.

3. In the principal Act, in section 4, for the existing proviso, the following proviso shall be substituted, namely:-

“Provided that notwithstanding anything contained in this Act and save as provided in any Central Act, the University shall be eligible to undertake the functions of disseminating of knowledge in any fields after the Government issues Letter of Intent.”.

**Amendment
of section 4 of
Guj. 8 of 2009.**

4. In the principal Act, in section 5, in clause (xiii), the words “subject to the approval of the regulatory body” shall be added at the end.

**Amendment
of section 5 of
Guj. 8 of 2009.**

5. In the principal Act, in section 10, the words “subsequent to which the University shall function independent of the Sponsoring Body with all powers vested in the Board of the Governors of the University” shall be added at the end.

**Amendment
of section 10
of Guj. 8 of
2009.**

6. In the principal Act, in section 14, in sub-section (1), the words “The President may be reappointed for the subsequent years.” shall be added at the end.

**Amendment
of section 14
of Guj. 8 of
2009.**

7. In the principal Act, section 33 shall be deleted.

**Deletion of
section 33 of
Guj. 8 of 2009.**

8. In the principal Act, in section 34,-

- (1) the words “within five years of its establishment”, shall be deleted;
- (2) for the words “from time to time” the words “as may be required” shall be substituted.

**Amendment
of section 34
of Guj. 8 of
2009.**

9. In the principal Act, section 41 shall be deleted.

**Deletion of
section 41 of
Guj. 8 of 2009.**

10. In the principal Act, in section 42,-

**Amendment
of section 42
of Guj. 8 of
2009.**

(1) in sub-section (1), for the words “The Sponsoring Body who intends to dissolve the University”, the words “If the Board of Governors intends to dissolve/merge the University, it” shall be substituted;

(2) in sub-section (2), the words “in the sponsoring Body” shall be deleted.

**Amendment
of section 43
of Guj. 8 of
2009.**

11. In the principal Act, in section 43, in sub-section (8), for the words “in the sponsoring Body”, the words “in such manner as may be prescribed” shall be substituted.

**Amendment
of Schedule to
Guj. 8 of
2009.**

12. In the principal Act, in the Schedule,-

(1) for the entry at serial No. 33, the following entry shall be substituted, namely:-

Sr. No.	Name and Address of the Private University.	Details of Registration and Registration Number	Sponsoring Body.
1.	2.	3.	4.
“33.	Silver Oak University, S.G.Highway, Gota, Ahmedabad- 382481.	Registered under the Companies Act, 2013 (18 of 2013) U80101GJ2018NPL103222.	Silver Oak Campus and Research Foundation, 352/353, 370/371, Gota Gam, Ahmedabad- 382481.”.

(2) after the entry at serial No. 36, the following entries shall be inserted, namely:-

Sr. No.	Name and Address of the Private University.	Details of Registration and Registration Number	Sponsoring Body.
1.	2.	3.	4.
“37.	Sarvajanik University, M.T.B. College Campus, Opp.	Registered under the Gujarat Public Trusts Act, 1950 (Bom. XXIX	Sarvajanik Education Society, M.T.B. College Campus, Opp.

Sr. No.	Name and Address of the Private University.	Details of Registration and Registration Number	Sponsoring Body.
1.	2.	3.	4.
	Chowpati, Athwalines, Surat-395001.	of 1950) Surat-F-21. Date: 30-10-1953.	Chowpati, Athwalines, Surat-395001.
38.	Vanita Vishram Women's University, Vanita Vishram Campus, Jawaharlal Nehru Marg, Athwa Gate, Surat-395001	Registered under the Gujarat Public Trusts Act, 1950 (Bom.XXIX of 1950) Registration No.E1176, Surat Date: 09/10/1962	Vanita Vishram, Jawaharlal Nehru Marg, Athwa Gate, Surat-395001.
39.	Drs. Kiran & Pallavi Patel Global University(KPGU) Krishna Edu. Campus, Block No. 136/Paiki, Vadodara-Mubai NH#8, Varnama, Vadodara-391243.	Registered under the Gujarat Public Trusts Act, 1950 (Bom. XXIX of 1950) Registration No. E/5737/Vadodara Date: 13 th , October, 2000.	Shri Krishna Educational & Charitable Trust, 103, Gajanan Complex, Old Padra Road, Vadodara-390020.
40.	Surendranagar University, Shree Pandit Nathulalji Vyas Campus, Nr.66KW GETCO sub-station, Wadhvan - Kothiyya Road, Wadhwan-363030, Surendranagar.	Registered under the Gujarat Public Trusts Act, 1950 (Bom. XXIX of 1950) Registration No. E/810/Surendranagar Date: 28/11/2000.	Shiv Shakti Ashish Trust, Sanskruti School of Thoughts, Jai Hind Society Corner, Jintan Road, Surendranagar-363002.
41.	UPL University of Sustainable Technology Block No.402, At & Po. Vataria, Ta. Valia, Dist.Bharuch-393135.	Registered under the Gujarat Public Trusts Act, 1950 (Bom. XXIX of 1950) F/709/Bharuch, Date:23/03/2000 GUJ/800/Bharuch, Registered under the Society Registration Act 1860 Guj/800/Bhruch Date: 29/03/2000.	Ankleshwar Rotary Education Society, At.&Po. Vataria, Ankleshwar-Valia Road, Tal.Valia, Dist. Bharuch-393135.

Sr. No.	Name and Address of the Private University.	Details of Registration and Registration Number	Sponsoring Body.
1.	2.	3.	4.
42.	Darshan University Rajkot-Morbi highway, At. Hadala Ta.Dist.Rajkot-363650.	Registered under the Gujarat Public Trusts Act, 1950 (Bom. XXIX of 1950) Registration No.E/8336/Rajkot, Dated: 24-04-2008.	Shri G. N. Patel Education & Charitable Trust 501, Lotas Arcade, 8-Royal Park, Nr.KKV Circle, 150 Ft. Ring Road, Rajkot-360005.
43.	Monark University At & Po. Vahelal, Naroda-Dahegam Road, Ta.Dascroi, Dist.Ahmedabad- 382330	Registered under the Gujarat Public Trusts Act, 1950 (Bom. XXIX of 1950) Registration No.E/13584/Ahmedabad Date:17/04/2001	Shree Monark Education Trust, Ahmedabad. At. & Post Nikol Gam, Mahadev Vas, Ta. City, Dist. Ahmedabad- 382350.”.

STATEMENT OF OBJECTS AND REASONS

The State Government has enacted the Gujarat Private Universities Act, 2009 (Guj. 8 of 2009) to provide for establishment of private Universities in the State so as to provide for qualitative and industry related higher education and to regulate their functions in accordance with the provisions of the Act.

The State Government is committed to improving the Ease of Doing Business in all sectors. It is considered necessary to have transparent working and good governance in the Education sector also and for that certain provisions of the said Act are required to be amended so as to minimize the regulatory compliance burden. Accordingly, the amendments have been proposed in the said Act for making the regulatory framework simple and effective. *e.g.* re-appointment of the Presidents of University, dissolution of the University, etc. Sustained reforms in higher education have to be a continuing process and should be carried out.

The Executive Director of Silver Oak University has requested to the State Government to change the sponsoring body of the University for

Administrative ease. Hence, necessary amendment is proposed in the said Act.

Further the State Government has received the proposals from the Sarvajanik Education Society, Surat, Vanita Vishram, Surat, Shri Krishna Educational and Charitable Trust, Vadodara, Shiv Shakti Ashish Trust, Surendranagar, Ankleshwar Rotary Education Society, Bharuch, Shri G.N.Patel Education & Charitable Trust, Rajkot and Shree Monark Education Trust, Ahmedabad as the Private Universities. Section 10 of the said Act provides that if the State Government is satisfied that the Sponsoring Body has complied with the conditions of Letter of Intent, then, the State Government is required to bring appropriate legislation for inclusion of the name of the University in the Schedule to the said Act. The said proposals have been considered by the Scrutiny Committee appointed under section 8 of the said Act and the Committee has submitted its report to the State Government and on the basis of such report, the State Government has, having been satisfied, issued a Letter of Intent as provided under section 9 of the Act and since the sponsoring bodies have complied with the conditions of the Letter of Intent, it is considered necessary to include the names of the Universities in the Schedule to the Act as envisaged under section 10 of the said Act.

This Bill seeks to amend the said Act to achieve the aforesaid objects.

BHUPENDRASINH CHUDASAMA,

**MEMORANDUM REGARDING DELEGATED
LEGISLATION**

This Bill involves delegation of legislative powers in following respects:-

Clause 1. - Sub-clause (2) of this clause empowers the State Government to appoint, by notification in the *Official Gazette*, the date on which the Act shall come into force.

Clause 10.- Sub-section (1) of section 42 proposed to be amended by sub-clause (1) of this clause empowers the State Government to prescribe by rules, the manner in which the Board of Governors shall give notice to the State Government for dissolution of the University; and also empowers the State Government to prescribe by rules the manner in which the State Government shall dissolve the University.

Clause 11.- Sub-section (8) of section 43 proposed to be amended by this clause empowers the State Government to prescribe by rules, the manner in which all the assets and liabilities of the University shall be vested.

The delegation of legislative powers as aforesaid is necessary and is of a normal character.

Dated the 23rd March, 2021.

BHUPENDRASINH CHUDASAMA.

By order and in the name of the Government of Gujarat,

K. M. LALA,

Gandhinagar.

Secretary to the Government of Gujarat,

Dated the 24th March, 2021.

Legislative and Parliamentary Affairs Department.
